IN RE: PETITION FOR RESIDENTIAL CONTING VARIANCE * ZONING COMMISSIONER N/S Greengable Garth, 154 ft W of Greenhouse Circle * OF BALTIMORE COUNTY 12 Greengable Garth 11th Election District * Case No. 92-349-A 9th Councilmanic District

> Alina Moore, et al Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * * *

The Petitioners herein request a variance from Sections 301.1 and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing deck with a 13 ft. street right-of-way setback, in lieu of the permitted 18.75 ft., and to amend the First Amended Final Development Plan for Arbour Green (Lot #6), as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from their immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore Variance from Sections 301.1 and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing deck with a 13 ft. street right-ofway setback, in lieu of the permitted 18.75 ft., and to amend the First Amended Final Development Plan for Arbour Green (Lot #6), in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > Zoning Commissioner for Baltimore County

LES/mmri

4932 HAZELWOOD AVENUE BALTIMORE, MD 21206 (301) 866-2001 FAX (301) 866-2003

Beginning at a point on the north side of (H.O.A. 18' wide) Greengable Garth which is 40 feet wide at the distance of 154 feet + west of the centerline of Greenhouse Circle which is 50 feet wide. BEING Lot # 6, Block B, in the subdivision of Arbour Green as recorded in Baltimore County Plat Book # 54, folio # 67, containing 2774 S.F. \pm = 0.063 AC. \pm . Also known as # 12 Greengable Garth and located in the 11th Election District.



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Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

April 23, 1992

Ms. Alina Moore Ms. Adolfina Arias #12 Greengable Garth Baltimore, Maryland 21236

> RE: Petition for Residential Zoning Variance Case No. 92-349-A

Dear Ms. Moore and Ms. Arias:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Lawrence E. Schmidt Zoning Commissioner

LES:mmn

(410) 887 4386

Property is to be advertised and/or posted as prescribed by Zoning Regulations. I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of BaltimoreCounty adopted pursuant to the Zoning Law for Baltimore County. I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject Contract Purchaser: Legal Owner(s): Attorney for Petitioner: #12 GREENGABLE GARTH 410-256-1804 (type or print name) BALTIMORE, MARYLAND 21236 Name, address and phone number of owner, contract purchaser or A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner Of Baltimore County, this _____ day of _____, 19___, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general

circulation throughout Baltimore County, and that the property be reposted.

ZONING COMMISSIONER OF BALTIMORE COUNTY

PETITION FOR ADMINISTRATIVE VARIANCE

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and pattached hereto and made a part hereof, petition for a Variance from Section 301.1, 504 and V.B.6a CMDP

TO PERMIT AN EXISTING DECK WITH A 13'0" STREET RIGHT OF WAY SETBACK IN LIEU

of the Zoning Regulations of Baltimore County for the following reasons: (indicate hardship or practical difficulty)

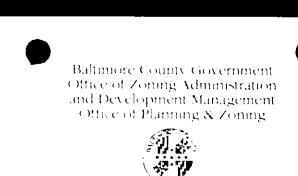
PROPERTY HAS CHANGED HANDS FROM THE BUILDER TO THE PRESENT OWNER.

OF THE PERMITTED 18.75' AND TO AMEND THE FIRST AMENDED FINAL DEVELOPMENT PLAN

DECK WAS INSTALLED BY THE BUILDER WHO WAS UNAWARE OF THE SETBACK REQUIREMENT.

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

FOR ARBOUR GREEN (LOT #6)



111 West Chesapeake Avenue Towson, MD 212(r) Alina and Adolfina Moore

> Baltimore, Maryland 21236 Re: CASE NUMBER: 92-349-A

LOCATION: N/S Greengable Garth, 154' W of Greenhouse Circle 12 Greengable Garth 11th Election District - 5th Councilmanic

Dear Petitioner(s):

12 Greengable Garth

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before April 5, 1992. The closing date is April 20, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formul request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers. Charges related to the reposting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

AFFECTION

IN SUPPORT OF ADMINISTRATION EVALUATIONS

92-349-A

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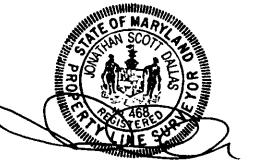
the Affairs (s) herein, personally known or satisfactorily identified to mess such Affairs (s), and made each in due for a cities. that the missions and facts benefinals, it set forth are to a and correct to the best of his benthele knowledge and build AS WITNESS by heed and Notarial Section 2010

Margareta n Kinena J 1891

J. S. DALLAS, INC. **SURVEYING & ENGINEERING**

92-349-A

ZONING DESCRIPTION FOR # 12 GREENGABLE GARTH

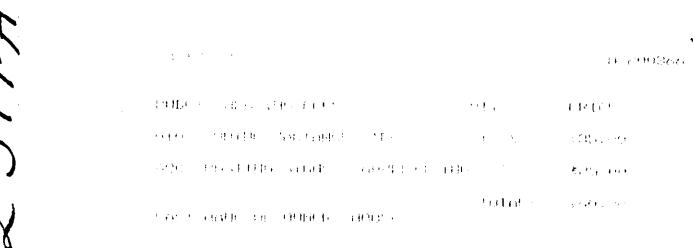


Petitioner: Location of property:	200 Carel
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Location of Signer	11
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Posted by Date of return: 11/1/14	

	Baltimore County
	Zoning Commissione
	County Office Building
	111 West Chesapeake Avenu Towson, Maryland 21204







Please Make Checkin இவற்றில் இவற்றாக County \$60,00 EA 2010:55An03-17-92

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